

MEMORANDUM OF UNDERSTANDING

Mariner Software has awarded a seat license of its MacJournal v3.0.2 software package for each Apple iBook to be used by Maine SAUs retired by the Maine Learning Technology Initiative (MLTI).

Terms of Agreement

The undersigned understand and agree to the following terms and conditions:

1. Mariner Software will make available to Maine SAUs, at no charge, usage of the MacJournal v3.0.2 software on retired MLTI devices purchased from the State of Maine.
2. If any retired MLTI devices are deployed to private individuals or to entities other than Maine SAUs, the MacJournal v3.0.2, the SAU must remove the software.
3. Mariner Software shall not use the MLTI or the State of Maine names in any promotional materials or as a customer reference without the express agreement of the Coordinator of Educational Technology, Maine Department of Education.
4. The State of Maine retains the right to end this agreement at any time through written communication to Mariner Software by the Coordinator of Educational Technology, Maine Department of Education.
5. Mariner Software agrees to make available to all participating SAUs the opportunity to upgrade the MacJournal software to the latest version for 50% off of the standard Educational Price.
6. This agreement will be effective for the period between July 1, 2006 and June 30, 2007. Upon the agreement in writing of both parties, this agreement may be extended beyond June 30, 2007.
7. Consistent to the original agreement between Mariner Software and the State of Maine, no technical support will be available/offered for this version of MacJournal (v. 3.0.2).
8. If any SAU user is found to be in possession of any unlicensed version newer than version 3.0.2, Mariner Software retains the right to end this agreement at any time through written communication to the Coordinator of Educational Technology, Maine Department of Education.
9. In the event the the MLTI does not retire the Apple iBooks, this Agreement shall not take effect and neither party shall be bound thereby.

Accepted on _____ by:

Jeff Mao
Coordinator of Educational Technology
Maine Department of Education
Maine Learning Technology Initiative

Michael Wray
Mariner Software